

1 The Court agrees with Defendants that the discovery requests underlying
2 Plaintiff's motions to compel were untimely. The Court issued a discovery and scheduling order
3 for this case on September 25, 2024. See ECF No. 19. Pursuant to this order, the parties were
4 permitted to conduct discovery through May 30, 2025. See id. at 3. Discovery requests were
5 required to be served at least 60 days prior to this date. See id. Here, as revealed in the
6 documents attached to Defendants' opposition, Plaintiff's discovery requests were untimely, and
7 Defendants appropriately objected on this basis. Specifically, Plaintiff's interrogatories and
8 requests for production were produced to prison officials for mailing on April 6, 2025.¹ See ECF
9 No. 23, pg. 20. Because this date is less than 60 days prior to the May 30, 2025, discovery cut-off
10 date, Plaintiff's discovery requests were untimely. The Court will deny Plaintiff's motions to
11 compel and grant Defendants' motion to extend the dispositive motion filing deadline.

12 Accordingly, IT IS HEREBY ORDERED as follows:

- 13 1. Plaintiff's motion to compel, ECF Nos. 21, and 22, are denied.
14 2. Defendants' motion to modify the schedule, ECF No. 27, is granted.
15 3. Dispositive motions are due within 30 days of the date of this order.

16
17 **Dated: October 14, 2025**



18 DENNIS M. COTA
19 UNITED STATES MAGISTRATE JUDGE

20
21
22
23
24
25
26 ¹ Pursuant to Houston v. Lack, 487 U.S. 266 (1988), for pro se prisoner litigants,
27 documents are considered served as of the date they are delivered to prison authorities for mailing
28 to the Court. Here, Defendants have supplied the Court with a copy of the envelope from
Plaintiff containing his discovery requests. This envelope indicates that the documents were
received by prison officials on April 6, 2025.